



Paper 4

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APR 17 2003

OFFICE OF PETITIONS

In re Application of
McQuade, et al. :
Application No. 10/027,146 : ON PETITION
Filed: 20 December, 2001 :
Attorney Docket No.: 102276-200 :

This is a decision on the petition filed (with fee) on 17 October, 2002, and considered under 37 C.F.R. §1.182¹ to change the name of name of the named inventor (Fran McQuade/Francis T. McQuade).

The Office regrets the delay in addressing this matter.

For the reasons set forth below, the petition under 37 C.F.R. §1.182 is **DISMISSED**.

NOTES:

- (1) Any petition (and fee) for reconsideration of this decision under 37 C.F.R. §1.182 must be submitted within two (2) months from the mail date of this decision. Extensions of time under 37 C.F.R. §1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 C.F.R. §1.182."
- (2) Thereafter, there will be no further reconsideration of this matter.

Petitioner is directed to the commentary at MPEP §§605.04 © and (g).

The instant petition is missing the affidavit of the inventor in question, signed by her under both names, and stating, *inter alia*, that there was no deceptive intent in the submission of the name in the incomplete form.

¹ The regulations at 37 C.F.R. §1.182 provide:
§ 1.182 Questions not specifically provided for.

All situations not specifically provided for in the regulations of this part will be decided in accordance with the merits of each situation by or under the authority of the Commissioner, subject to such other requirements as may be imposed, and such decision will be communicated to the interested parties in writing. Any petition seeking a decision under this section must be accompanied by the petition fee set forth in §1.17(h).
[47 Fed. Reg. 41278, Sept. 17, 1982, effective date Oct. 1, 1982; revised, 62 Fed. Reg. 53131, Oct. 10, 1997, effective Dec. 1, 1997]

Petitioner is reminded to submit to the Assignment Division a corrected assignment document and cover sheet--as well as the appropriate fee--as set forth in 37 C.F.R. §1.21(h) for change of the assignment record.

Further correspondence with respect to this matter should be addressed as follows:

By mail: (Effective 1 May, 2003)²
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (703) 308-6916
ATTN.: Office of Petitions

By hand: Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-9199.



John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² To determine the appropriate addresses for other subject-specific correspondence, refer to the USPTO Web site at www.uspto.gov.